

<i>SERFF Tracking Number:</i>	<i>LDRX-125612219</i>	<i>State:</i>	<i>Arkansas</i>
<i>Filing Company:</i>	<i>Bituminous Casualty Corporation</i>	<i>State Tracking Number:</i>	<i>#? \$?</i>
<i>Company Tracking Number:</i>	<i>UM AR0802301F01</i>		
<i>TOI:</i>	<i>17.0 Other Liability - Claims Made/Occurrence</i>	<i>Sub-TOI:</i>	<i>17.0020 Commercial Umbrella &amp; Excess</i>
<i>Product Name:</i>	<i>Commercial Umbrella Terrorism Disclosure Notice</i>		
<i>Project Name/Number:</i>	<i>2008 BIC Independent Company Filings/UM AR0802301F01</i>		

## Filing at a Glance

Company: Bituminous Casualty Corporation

Product Name: Commercial Umbrella Terrorism SERFF Tr Num: LDRX-125612219 State: Arkansas

Disclosure Notice

TOI: 17.0 Other Liability - Claims

SERFF Status: Closed

State Tr Num: #? \$?

Made/Occurrence

Sub-TOI: 17.0020 Commercial Umbrella & Excess

Co Tr Num: UM AR0802301F01

State Status: Fees verified and received

Filing Type: Form

Co Status:

Reviewer(s): Betty Montesi, Edith Roberts, Brittany Yielding

Author: SPI Bituminous

Disposition Date: 04/16/2008

Date Submitted: 04/16/2008

Disposition Status: Approved

Effective Date Requested (New): On Approval

Effective Date (New):

Effective Date Requested (Renewal):

Effective Date (Renewal):

State Filing Description:

## General Information

Project Name: 2008 BIC Independent Company Filings

Status of Filing in Domicile:

Project Number: UM AR0802301F01

Domicile Status Comments:

Reference Organization:

Reference Number:

Reference Title:

Advisory Org. Circular:

Filing Status Changed: 04/16/2008

State Status Changed: 04/16/2008

Deemer Date:

Corresponding Filing Tracking Number:

Filing Description:

In accordance with your requirements Bituminous Casualty Corporation is submitting our disclosure notices for informational purposes. The following notices will be used for Commercial Umbrella effective immediately. Copies are attached for your ease in reference.

Please acknowledge our intent of this submission via SERFF. If additional information is required please let me know.

SERFF Tracking Number: LDRX-125612219 State: Arkansas  
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Company Tracking Number: UM AR0802301F01  
TOI: 17.0 Other Liability - Claims Made/Occurrence Sub-TOI: 17.0020 Commercial Umbrella & Excess  
Product Name: Commercial Umbrella Terrorism Disclosure Notice  
Project Name/Number: 2008 BIC Independent Company Filings/UM AR0802301F01

GU-4543 (02/08) Policyholder Disclosure Notice of Terrorism Insurance Coverage  
GU-4537 (01/08) Notice to Policyholders Potential Restrictions of Terrorism Coverage  
GU-4247 (01/08) Notice to Policyholders Restriction of Terrorism Coverage

## Company and Contact

### Filing Contact Information

Rosanne Sly-Ginther, Advanced Administrative rslyginther@bituminousinsurance.com  
Analyst

320 18th Street (309) 732-0204 [Phone]  
Rock Island, IL 61201 (309) 786-3847[FAX]

### Filing Company Information

Bituminous Casualty Corporation CoCode: 20095 State of Domicile: Illinois  
320 18th Street Group Code: 150 Company Type: Commercial  
Property and Casualty  
Rock Island, IL 61201 Group Name: Bituminous InsuranceState ID Number:  
Companies  
(309) 786-5401 ext. [Phone] FEIN Number: 36-0810360  
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## Filing Fees

Fee Required? No  
Retaliatory? No  
Fee Explanation:  
Per Company: No

*SERFF Tracking Number:* LDRX-125612219 *State:* Arkansas  
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## Correspondence Summary

### Dispositions

Status	Created By	Created On	Date Submitted
Approved	Edith Roberts	04/16/2008	04/16/2008

*SERFF Tracking Number:* LDRX-125612219 *State:* Arkansas  
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*Product Name:* Commercial Umbrella Terrorism Disclosure Notice  
*Project Name/Number:* 2008 BIC Independent Company Filings/UM AR0802301F01

## Disposition

Disposition Date: 04/16/2008

Effective Date (New):

Effective Date (Renewal):

Status: Approved

Comment:

Rate data does NOT apply to filing.

SERFF Tracking Number: LDRX-125612219 State: Arkansas

Filing Company: Bituminous Casualty Corporation State Tracking Number: #? \$?

Company Tracking Number: UM AR0802301F01

TOI: 17.0 Other Liability - Claims Made/Occurrence Sub-TOI: 17.0020 Commercial Umbrella & Excess

Product Name: Commercial Umbrella Terrorism Disclosure Notice

Project Name/Number: 2008 BIC Independent Company Filings/UM AR0802301F01

Item Type	Item Name	Item Status	Public Access
Supporting Document	Expedited Transmittal For Terrorism	Approved	No
Form	Notice to Policyholders Restriction of Terrorism Coverage	Approved	No
Form	Notice to Policyholders Potential Restrictions of Terrorism Coverage	Approved	No
Form	Policyholder Disclosure Notice of Terrorism Insurance Coverage	Approved	No

SERFF Tracking Number: LDRX-125612219 State: Arkansas

Filing Company: Bituminous Casualty Corporation State Tracking Number: #? \$?

Company Tracking Number: UM AR0802301F01

TOI: 17.0 Other Liability - Claims Made/Occurrence Sub-TOI: 17.0020 Commercial Umbrella & Excess

Product Name: Commercial Umbrella Terrorism Disclosure Notice

Project Name/Number: 2008 BIC Independent Company Filings/UM AR0802301F01

## Form Schedule

Review Status	Form Name	Form #	Edition Date	Form Type Action	Action Specific Data	Readability	Attachment
Approved	Notice to Policyholders Restriction of Terrorism Coverage	GU-4247	(01/08)	Disclosure/ New Notice		0.00	GU-4247.PDF
Approved	Notice to Policyholders Potential Restrictions of Terrorism Coverage	GU-4537	(01/08)	Disclosure/ New Notice		0.00	GU-4537.PDF
Approved	Policyholder Disclosure Notice of Terrorism Insurance Coverage	GU-4543	(02/08)	Disclosure/ New Notice		0.00	GU-4543.PDF

## NOTICE TO POLICYHOLDERS

### RESTRICTION OF TERRORISM COVERAGE

This Notice has been prepared in conjunction with the implementation of changes related to coverage of terrorism under your policy.

This Notice does **not** form a part of your insurance contract. The Notice is designed to alert you to revised provisions in the terrorism endorsement in this policy. If there is any conflict between this Notice and the policy (including its endorsements), the provisions of the policy (including its endorsements) apply.

Carefully read your policy, including the endorsements attached to your policy.

Your policy contains one of the following endorsements:

**CG 21 76 01 08 - Exclusion of Punitive Damages Related To a Certified Act of Terrorism**  
(Commercial General Liability Coverage Part)

**CUP 03 04 01 08 - Exclusion of Punitive Damages Related To a Certified Act of Terrorism**  
(Commercial Umbrella Liability Policy)

### CHANGE IN THE DEFINITION OF CERTIFIED ACTS OF TERRORISM

Under the federal Terrorism Risk Insurance Program Reauthorization Act of 2007, the definition of "certified acts of terrorism" (which is more fully defined in the endorsement) no longer requires that the act of terrorism be committed by or on behalf of a foreign interest. **Therefore, the punitive damages exclusion related to "certified acts of terrorism" is no longer limited to an act of terrorism committed by or on behalf of a foreign interest.** The exclusion applies to any terrorist act when the act is determined by the federal government to be a "certified act of terrorism" under the terms of the federal Terrorism Risk Insurance Program, including, for example, an act committed against the United States government by a United States citizen.

Refer to the terrorism endorsement for the definition of "certified acts of terrorism". Refer to the endorsement, and to the rest of the insurance contract, for provisions that govern coverage for, or that exclude coverage for, losses arising from terrorism.

## NOTICE TO POLICYHOLDERS

### POTENTIAL RESTRICTIONS OF TERRORISM COVERAGE

This Notice has been prepared in conjunction with the implementation of changes related to coverage of terrorism under your policy. It contains a brief synopsis of significant exclusionary provisions and limitations.

This Notice does **not** form a part of your insurance contract. The Notice is designed to alert you to coverage restrictions and to other provisions in the terrorism endorsement in this policy. If there is any conflict between this Notice and the policy (including its endorsements), the provisions of the policy (including its endorsements) apply.

Carefully read your policy, including the endorsements attached to your policy.

#### YOUR PREVIOUS POLICY:

Contains one of the following endorsements:

If your policy contains **CG 21 70 or CUP 00 95, CAP ON LOSSES FROM CERTIFIED ACTS OF TERRORISM**, this policy does not contain a terrorism exclusion. However, the policy contains an endorsement under which coverage for "certified acts of terrorism" (which is more fully defined in the endorsement but involves acts of terrorism by or on behalf of a foreign interest) is subject to a limit on our liability pursuant to the federal Terrorism Risk Insurance Act. Further, the absence of a terrorism exclusion does not create coverage for any injury or damage that would otherwise be excluded under the policy, such as losses excluded by the war liability exclusion.

If your policy contains **CG 21 71 or CUP 03 00, LIMITED TERRORISM EXCLUSION (OTHER THAN CERTIFIED ACTS OF TERRORISM); CAP ON LOSSES FROM CERTIFIED ACTS OF TERRORISM**, this endorsement makes a distinction between "certified acts of terrorism" and "other acts of terrorism". Coverage is provided for "certified acts of terrorism" (which is more fully defined in the endorsement, but involves acts of terrorism by or on behalf of a foreign interest). This coverage is subject to a limit on our liability pursuant to the federal Terrorism Risk Insurance Act. The endorsement excludes coverage for "other acts of terrorism" (terrorist acts other than certified acts) but such exclusion applies only if:

- (1) Aggregate losses from the event exceed \$25 million; or
- (2) Fifty or more persons sustain death or physical injury; or
- (3) If the event qualified as a nuclear event; or
- (4) If the event qualified under certain circumstances as a biological or chemical event.

With respect to "certified acts of terrorism" and "other acts of terrorism", policy exclusions (for example, the war liability exclusion) and other policy provisions continue to apply.

If your policy contains **CG 21 73 or CUP 00 96, EXCLUSION OF CERTIFIED ACTS OF TERRORISM**, this endorsement excludes coverage for "certified acts of terrorism", which is more fully defined in the endorsement but involves acts of terrorism by or on behalf of a foreign interest.

If your policy contains **CG 21 75 or CUP 03 03, EXCLUSION OF CERTIFIED ACTS OF TERRORISM AND OTHER ACTS OF TERRORISM**, this terrorism endorsement makes a distinction between "certified acts of terrorism" (which is more fully defined in the endorsement, but involves acts of terrorism that are committed by or on behalf of a foreign interest) and "other acts of terrorism". Both types of terrorism are excluded from coverage but the exclusions are subject to different terms and conditions. The exclusion of "certified acts of terrorism" relates to criteria in the federal Terrorism Risk Insurance Act. The exclusion of coverage for "other acts of terrorism" (terrorist acts other than certified acts) applies only if:

- (1) Aggregate losses from the event exceed \$25 million; or
- (2) Fifty or more persons sustain death or physical injury; or
- (3) If the event qualified as a nuclear event; or
- (4) If the event qualified under certain circumstances as a biological or chemical event.

With respect to "certified acts of terrorism" and "other acts of terrorism", policy exclusions (for example, the war liability exclusion) and other policy provisions continue to apply.

#### **YOUR RENEWAL POLICY:**

If your renewal policy contains **CG 21 70 or CUP 00 95, CAP ON LOSSES FROM CERTIFIED ACTS OF TERRORISM**, this policy does not contain a terrorism exclusion. However, the policy contains an endorsement under which coverage for "certified acts of terrorism" (which is more fully defined in the endorsement but involves acts of terrorism certified as such under the federal Terrorism Risk Insurance Program) is subject to a limit on our liability and the liability of the federal government pursuant to the federal Terrorism Risk Insurance Act, as outlined below. Further, the absence of a terrorism exclusion does not create coverage for any loss that would otherwise be excluded under the policy, such as losses excluded by the war liability exclusion. Refer to the terrorism endorsement for the definition of "certified acts of terrorism". Refer to the endorsement, and to the rest of the insurance contract, for provisions that govern coverage for, or that exclude coverage for, losses arising from terrorism.

Information on Limitations on Federal and Insurer Liability: The federal government may participate in paying for some of the losses from a "certified act of terrorism". However, if aggregate insured losses attributable to terrorist acts certified under the Terrorism Risk Insurance Act exceed \$100 billion in a Program Year (January 1 through December 31), the Treasury shall not make any payment for any portion of the amount of such losses that exceeds \$100 billion. Further, this coverage is subject to a limit on our liability pursuant to the federal law, that is, if aggregate insured losses attributable to terrorist acts certified under the Terrorism Risk Insurance Act exceed \$100 billion in a Program Year (January 1 through December 31) and we have met our insurer deductible under the Terrorism Risk Insurance Act, we shall not be liable for the payment of any portion of the amount of such losses that exceeds \$100 billion. In such case insured losses up to that amount are subject to pro rata allocation in accordance with procedures established by the Secretary of the Treasury.

If your renewal policy contains **CG 21 73 or CUP 00 96, EXCLUSION OF CERTIFIED ACTS OF TERRORISM**, this endorsement excludes coverage for "certified acts of terrorism", which is more fully defined in the endorsement but involves acts of terrorism certified as such under the federal Terrorism Risk Insurance Program. Refer to the terrorism endorsement for the definition of "certified acts of terrorism". Refer to the endorsement, and to the rest of the insurance contract, for provisions that govern coverage for, or that exclude coverage for, losses arising from terrorism.



320 18th Street  
Rock Island, IL 61201  
1-800-475-4477

## **POLICYHOLDER DISCLOSURE NOTICE OF TERRORISM INSURANCE COVERAGE**

On December 26, 2007, the Terrorism Risk Insurance Act was extended. Any losses caused by certified acts of terrorism are partially reimbursed by the United States under a formula established by federal law. Under this formula, the United States pays 85% of covered terrorism losses exceeding the statutorily established deductible paid by Bituminous Insurance Companies. The premium charged for this coverage is provided below and does not include any charges for the portion of loss that may be covered by the federal government under the Act.

As defined in Section 102(1) of the Terrorism Risk Insurance Act, a certified "act of terrorism" means any act that is certified by the Secretary of the Treasury, in concurrence with the Secretary of State and the Attorney General of the United States, to be an act of terrorism. To be certified, the act of terrorism must: 1) be a violent act or an act that is dangerous to human life, property, or infrastructure; 2) have resulted in damage within the United States, or outside the United States in the case of an air carrier or vessel or the premises of a United States mission; and 3) have been committed by an individual or individuals as part of an effort to coerce the civilian population of the United States or to influence the policy or affect the conduct of the United States Government by coercion.

You should also know that the Terrorism Risk Insurance Act, as amended, contains a \$100 billion cap that limits U.S. Government reimbursement as well as insurers' liability for losses resulting from certified acts of terrorism when the amount of such losses in any one calendar year exceeds \$100 billion. If the aggregate insured losses for all insurers exceed \$100 billion, your coverage may be reduced.

You have a right to purchase insurance coverage for losses arising from terrorism, as defined in the Act. Unless you elect to purchase the coverage, we will attach an exclusion for Acts of Terrorism, as defined in the Act, to your policy.

### **SELECTION OR REJECTION OF TERRORISM INSURANCE COVERAGE**

YOU HAVE THIRTY (30) DAYS TO CONSIDER THIS OFFER OF COVERAGE FOR ACTS OF TERRORISM, AS DEFINED IN THE ACT. FAILURE TO RETURN THIS SIGNED FORM INDICATING AN ELECTION TO PURCHASE TERRORISM COVERAGE, AS DEFINED IN THE ACT, WILL BE DEEMED YOUR REJECTION OF TERRORISM COVERAGE, AS DEFINED IN THE ACT.

**The undersigned understands that this election will apply to this policy, any future renewals of this policy, and all replacement policies issued by Bituminous Insurance Companies or any of its affiliates until you notify us in writing to change your selection.**

**Please indicate your selection by an ☒:**

- ☐ I hereby elect to purchase terrorism coverage for Acts of Terrorism, as defined in the Act, for an annual premium of \$\_\_\_\_\_.
- ☐ I hereby elect to have the exclusion for Acts of Terrorism, as defined in the Act, added to my policy. I understand that I will have no coverage for losses arising from terrorism, as defined in the Act.

\_\_\_\_\_  
Policyholder/Applicant's Signature

\_\_\_\_\_  
Insured

\_\_\_\_\_  
Policy Number/Policy Period

\_\_\_\_\_  
Print Name/Title

\_\_\_\_\_  
Date

<i>SERFF Tracking Number:</i>	<i>LDRX-125612219</i>	<i>State:</i>	<i>Arkansas</i>
<i>Filing Company:</i>	<i>Bituminous Casualty Corporation</i>	<i>State Tracking Number:</i>	<i>#? \$?</i>
<i>Company Tracking Number:</i>	<i>UM AR0802301F01</i>		
<i>TOI:</i>	<i>17.0 Other Liability - Claims Made/Occurrence</i>	<i>Sub-TOI:</i>	<i>17.0020 Commercial Umbrella &amp; Excess</i>
<i>Product Name:</i>	<i>Commercial Umbrella Terrorism Disclosure Notice</i>		
<i>Project Name/Number:</i>	<i>2008 BIC Independent Company Filings/UM AR0802301F01</i>		

## Rate Information

Rate data does NOT apply to filing.

SERFF Tracking Number: LDRX-125612219 State: Arkansas  
Filing Company: Bituminous Casualty Corporation State Tracking Number: #? \$?  
Company Tracking Number: UM AR0802301F01  
TOI: 17.0 Other Liability - Claims Made/Occurrence Sub-TOI: 17.0020 Commercial Umbrella & Excess  
Product Name: Commercial Umbrella Terrorism Disclosure Notice  
Project Name/Number: 2008 BIC Independent Company Filings/UM AR0802301F01

## Supporting Document Schedules

**Satisfied -Name:** Expedited Transmittal For Terrorism  
**Review Status:** Approved 04/16/2008

**Comments:**

**Attachment:**

Expedited Transmittal For Terrorism.PDF

**EXPEDITED FILING TRANSMITTAL DOCUMENT  
FOR TERRORISM RISK INSURANCE FORMS AND PRICING**

This page applies to the following state(s) AR

Indicate Type of Filing
<input checked="" type="checkbox"/> Filing Related to <i>Certified Losses</i>
<input type="checkbox"/> Filing Related to <i>Non-Certified Losses</i>
<input type="checkbox"/> Filing Applicable to Both Certified and Non-Certified Losses

Department Use only

Company Name(s)	Domicile	NAIC #	FEIN #
Bituminous Casualty Corporation	IL	150-20095	36-0810360

**Contact Info for Filer**

Name and address of Filer(s)	Telephone #	FAX #	e-mail
Rosanne Sly-Ginther 320 18th Street Rock Island IL 61201	309-732-0204	309-786-3847	rslyginther@bituminousinsurance.com

**Filing information**

<b>Line of Insurance</b> (see attachment)	Commercial Umbrella
<b>Company Program Title</b> (Marketing title) (if applicable)	2008 BIC Independent Company Filings
<b>Filing Type ** see note below</b>	
<b>This application is used with:</b>	Commercial Umbrella
<b>Effective Date Requested</b>	On Approval
<b>Filing date</b>	04/16/08
<b>Company Tracking Number</b>	UM AR0802301F01
<b>Date filing approved in domiciliary state, if applicable</b>	

	Component/Form Name /Description/Synopsis	Form # or Rate Page Include edition date	Replacement Or withdrawn?	If replacement, give form # or rate page(s) it replaces	Previous State Filing Number, if required by state
01	Policyholder Disclosure notice of Terrorism Insurance Coverage	GU-4543 02/08	<input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn <input checked="" type="checkbox"/> Neither		
02	Notice to Policyholders Potential Restrictions of Terrorism Coverage	GU-4537 01/08	<input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn <input checked="" type="checkbox"/> Neither		
03	Notice to Policyholders Restriction of Terrorism Coverage	GU-4247 01/08	<input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn <input checked="" type="checkbox"/> Neither		

To be complete, a filing must include the following:

- A completed Expedited Filing Transmittal Document for each insurer or advisory organization.
- One copy of each endorsement, disclosure form or other policy language, unless the insurer has given an advisory organization authorization to file them on its behalf.
- A copy of the rates, rating systems and supporting documentation.
- The appropriate filing fees, if required.
- A postage-paid, self-addressed envelope **large enough to accommodate the return.**

The insurer(s) submitting this filing certifies that it:

- ☒ Is in compliance with the terms of the Terrorism Risk Insurance Act, as amended, and the laws of this state; and
- ☒ Is in compliance with the requirements of the bulletin containing the voluntary expedited filing procedures.

*Rosanne Sly-Ginther*

Signature

Rosanne Sly-Ginther

Print Name:

Advanced Administrative  
Analyst

Title:

